

Burma: Farmers Targets of Land Grabs

(Rangoon) – [Burma](#)'s government should urgently act to end the unlawful seizure of land in Karen State, Human Rights Watch said in a report released today. Officials regularly charge villagers with criminal trespass if they refuse to leave land, and in one case, police torched a village. Militia commanders have also used threats, force, and arbitrary arrests to intimidate farmers and take land, particularly in areas still contested by ethnic Karen armed groups.

“Farmers in Burma’s Karen State are being pushed off their land, and then face arrest and prison time if they stand up for their rights,” said [Phil Robertson](#), deputy Asia director. “Well-connected business owners, militia leaders, and government officials are exploiting land laws and regulatory weakness to obtain land with little regard for the rights of the farmers who have been long using it.”

The 65-page report, “[‘The Farmer Becomes the Criminal’: Land Confiscation in Burma’s Karen State](#),” documents human rights violations by militias, police, and government officials in Karen State for the confiscation of land from ethnic Karen farmers, many of whose families had farmed the land for generations.

Farmers’ livelihoods are threatened by abusive laws passed by previous governments, enforcement of poorly conceived land policies, and the authorities’ unwillingness to counter corrupt local officials who facilitate the displacement of small-scale farmers and villagers.

As a lawyer representing Karen farmers told Human Rights Watch: “The businessman takes the land from the farmer. But when the farmer protests, he becomes the criminal.” In instances where the government has taken land for public purposes, such as construction of an irrigation dam, it was often done without adequate consultation, due process of law, or compensation for those displaced.

In Karen State, which borders Thailand, approximately 70 percent of the population earns a living through agriculture, meaning that access to land has a significant impact on the right to food and an adequate standard of living. The region has been engulfed in decades of armed conflict between the Burmese government and Karen armed groups, in which serious rights abuses, especially by government forces, have been widespread.

Burma’s [repressive laws on freedom of expression](#) have stifled dissent among farmers who typically have no other form of recourse. When farmers have sought to exercise their right to free speech through protest, authorities have systematically denied their applications to stage demonstrations. Farmers and activists who nonetheless proceeded with their protests have often been [arrested and imprisoned under the Peaceful Assembly and Peaceful Procession Law](#), which criminalizes public protests without permission.

In 2012, Burma initiated a set of legal reforms regarding land. Two new laws permitted farmers to obtain land-use certificates that aim to increase land tenure security. In 2016, Burma adopted a

National Land Use Policy which further addresses land classification, community land tenure systems, and dispute resolution.

Some things are getting better. There is electricity in the next village, and we may get electricity here, too. But none of that matters if our land is gone.

Nu Yee

San Klo village, Karen State, February 2015

Yet despite these reforms, villagers report that local land offices are inaccessible and that officials at times refuse to register land or fail to uphold rights against moneyed interests. In some cases, villagers alleged that local government officials acted as brokers for land deals or facilitated the granting of licenses for mining and other projects, leaving long-time residents and farmers empty-handed and without effective recourse.

Despite the democratic opening seen in Burma under the National League for Democracy (NLD)-led government elected in November 2015, little has changed so far for farmers and rights advocates in Karen State.

Human Rights Watch called for the government to stop the arbitrary arrest of land activists by police, and release activists awaiting trial for undertaking peaceful activities to protest land seizures. The Burmese government should also impartially investigate allegations of unlawful land confiscation, publicly report the findings, prosecute those responsible for rights abuses, and provide prompt and adequate compensation to villagers who have wrongfully lost access to their land.

“Donor governments shouldn’t be fooled by the veneer of land reform in Burma,” Robertson said. “In practice, little has changed in the situation on the ground. The reality is that local officials, abusive militias, and powerful businessmen continue to take land in the absence of any effective system in place to protect farmers.”